

# EXHIBIT D

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Atorneys for Defendant and Counterclaimant  
**MAY ALLEN**

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BEAUTIFUL SLIDES, INC., a Delaware corporation; and MITCH GRASSO, an individual,

**Plaintiffs,**

v.

MAY ALLEN, an individual,

**Defendant.**

## AND RELATED CROSS ACTION.

Case No.: 4:17-cv-01091(KAW)

**DEFENDANT AND  
COUNTERCLAIMANT MAY ALLEN'S  
NOTICE OF DEPOSITION OF  
PLAINTIFF MITCH GRASSO AND  
REQUEST FOR PRODUCTION OF  
DOCUMENTS**

Date: Wednesday, September 6, 2017  
Time: 9:00 a.m.  
Location: 1 Post St., Suite 800  
San Francisco, CA 94104

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

22 PLEASE TAKE NOTICE THAT pursuant to Federal Rules of Civil Procedure 30,  
23 Defendant MAY ALLEN ("Allen"), will take the deposition of Plaintiff MITCH GRASSO  
24 ("Grasso") on Wednesday, September 6, 2017, at Wood Robbins, LLP, One Post St., Suite 800,  
25 San Francisco, CA 94104.

26 The deposition will be taken pursuant to FRCP 30 *et seq.* and before a Certified  
27 Shorthand Reporter. If this deposition is not completed on said date, the taking thereof will

1 continue from day to day thereafter, at the same time and place, excluding Saturdays, Sundays  
2 and holidays, until completed.

3 PLEASE TAKE FURTHER NOTICE that Allen intends to record the testimony of the  
4 deponent by audio and/or video technology in addition to intending to record the testimony of  
5 the deponent by stenographic method through the instant visual display of the testimony. If  
6 deponent requires an interpreter, written notice must be given to this office at least five (5)  
7 business days prior to said deposition.

8 A list of all parties or attorneys for parties on whom this Notice of Deposition is served is  
9 shown on the accompanying Proof of Service.

10 YOU ARE FURTHER NOTIFIED THAT Allen demands that Grasso produce the  
11 following documents at the deposition:

12 **DEFINITIONS**

13 1. As used herein, the term "ALLEN" refers to Defendant May Allen.

14 2. As used herein, the terms "YOU" or "YOUR" refer to and include MITCH  
15 GRASSO and each person and/or entity acting on his behalf, including but not limited to his  
16 agents, assigns, and representatives.

17 3. As used herein, the term "DEFENDANTS" refers to Defendants Beautiful Slides,  
18 Inc. and Mitch Grasso.

19 4. The term "BEAUTIFUL SLIDES" means the Beautiful Slides project that is the  
20 subject of the parties' complaint and counterclaim in this action. To the extent the responding  
21 party believes there is a difference between the project described in the complaint and the project  
22 described in the counterclaim, the request seeks documents related to both unless otherwise  
23 specified.

24 5. As used herein, the term "DOCUMENTS" means each and every original or copy  
25 of words or information by printing, typing, longhand, electronic recording, or other process,  
26 regardless of the form thereof. Such term includes, but is not limited to, published materials,  
27 reports, correspondence, records, memoranda, notices, notes, marginal notations, messages,  
28 teletype printouts, statements, books, studies, minutes, diagrams, drawings, maps, surveys, plans,

1 charts, graphs, data, computer files, computer tapes, computer disks, computer printouts,  
2 appointment books, telephone message tapes, telephone message slips, drafts, checks, money  
3 orders, invoices, billings, evaluations, photographs, audiotapes and videotapes.

4 **REQUEST FOR PRODUCTION**

5 **REQUEST FOR PRODUCTION NO. 1:**

6 Any and all non-privileged DOCUMENTS that reflect, refer or relate to May Allen.

7 **REQUEST FOR PRODUCTION NO. 2:**

8 Any and all non-privileged DOCUMENTS that reflect, refer or relate to the development  
9 of BEAUTIFUL SLIDES.<sup>1</sup>

10 **REQUEST FOR PRODUCTION NO. 3:**

11 Any and all non-privileged DOCUMENTS that reflect, refer or relate to the solicitation  
12 of investment in BEAUTIFUL SLIDES.

13 **REQUEST FOR PRODUCTION NO. 4:**

14 Any and all non-privileged DOCUMENTS that reflect, refer or relate to the formation of  
15 Beautiful Slides, Inc.

16 **REQUEST FOR PRODUCTION NO. 5:**

17 Any and all non-privileged DOCUMENTS that reflect, refer or relate to investment in  
18 Beautiful Slides, Inc.

19 **REQUEST FOR PRODUCTION NO. 6:**

20 Any and all non-privileged DOCUMENTS that reflect, refer or relate to any agreements  
21 between Mitch Grasso and Beautiful Slides, Inc.

22 **REQUEST FOR PRODUCTION NO. 7:**

23 Any and all non-privileged DOCUMENTS that reflect, refer or relate to any agreements  
24 between Mitch Grasso and any investor in Beautiful Slides, Inc.

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28 <sup>1</sup> See definition at para. 4.

1 **REQUEST FOR PRODUCTION NO. 8:**

2 Any and all non-privileged DOCUMENTS that reflect, refer or relate to any agreements  
3 between Beautiful Slides, Inc. and any investor in Beautiful Slides, Inc.

4 **REQUEST FOR PRODUCTION NO. 9:**

5 Any and all non-privileged DOCUMENTS that reflect, refer or relate to agreements to  
6 which Beautiful Slides, Inc. is a party that relate to the developments of corporate assets.

7 **REQUEST FOR PRODUCTION NO. 10:**

8 Any and all non-privileged DOCUMENTS that reflect, refer or relate to agreements to  
9 which Beautiful Slides, Inc. is a party and that relate to the sale or potential sale of corporate  
10 assets.

11 **REQUEST FOR PRODUCTION NO. 11:**

12 Any and all non-privileged DOCUMENTS that reflect, refer or relate to the value of  
13 BEAUTIFUL SLIDES.

14 **REQUEST FOR PRODUCTION NO. 12:**

15 Any and all non-privileged DOCUMENTS that reflect, refer or relate to the value of  
16 Beautiful Slides, Inc.

17 **REQUEST FOR PRODUCTION NO. 13:**

18 Any and all non-privileged DOCUMENTS that reflect, refer or relate to the assets of  
19 Beautiful Slides, Inc.

20 **REQUEST FOR PRODUCTION NO. 14:**

21 Any and all non-privileged DOCUMENTS that reflect, refer or relate to the value of  
22 Beautiful Slides, Inc.'s assets.

23 **REQUEST FOR PRODUCTION NO. 15:**

24 Any and all non-privileged DOCUMENTS that reflect, refer or relate to copyrights in  
25 which Mitch Grasso claims an interest.

26 **REQUEST FOR PRODUCTION NO. 16:**

27 Any and all non-privileged DOCUMENTS that reflect, refer or relate to copyrights in  
28 which Beautiful Slides, Inc. claims an interest.

1 **REQUEST FOR PRODUCTION NO. 17:**

2 Any and all non-privileged DOCUMENTS that support defendants' contention, if they  
3 are making it, that May Allen was not a partner with Mitch Grasso under California law.

4 **REQUEST FOR PRODUCTION NO. 18:**

5 Any and all non-privileged DOCUMENTS that support defendants' contention, if they  
6 are making it, that May Allen was not equal partners with Mitch Grasso under California law.

7 **REQUEST FOR PRODUCTION NO. 19:**

8 Any and all non-privileged DOCUMENTS that support defendants' contention, if they  
9 are making it, that May Allen is not entitled to half of every benefit enjoyed by Mitch Grasso  
10 resulting from BEAUTIFUL SLIDES *as described in the complaint*.

11 **REQUEST FOR PRODUCTION NO. 20:**

12 Any and all non-privileged DOCUMENTS that support defendants' contention, if they  
13 are making it, that May Allen is not entitled to half of every benefit enjoyed by Mitch Grasso  
14 resulting from Beautiful Slides, Inc.

15 **REQUEST FOR PRODUCTION NO. 21:**

16 Any and all non-privileged DOCUMENTS that support defendants' contention, if they  
17 are making it, that the BEAUTIFUL SLIDES project as described in the complaint and the  
18 BEAUTIFUL SLIDES project as described in the counterclaim are different.

19 **REQUEST FOR PRODUCTION NO. 22:**

20 Any and all non-privileged DOCUMENTS that support defendants' contention, if they  
21 are making it, that the BEAUTIFUL SLIDES project as described in the complaint is not a  
22 derivative of the BEAUTIFUL SLIDES project as described in the counterclaim.

24 Dated: August 23, 17

WOOD ROBBINS, LLP

*Kristen Drake*

25 By:

26 Kristen E. Drake  
27 Attorneys for Defendant and  
28 Counterclaimant MAY ALLEN

## **CERTIFICATE OF SERVICE**

I, Cristina D. Herrera, hereby certify and declare as follows:

I am over the age of 18 years and not a party to this action. My business address is One Post Street, Suite 800, San Francisco, California 94014. On the 24 August 2017, I caused to be served a copy of the foregoing:

**DEFENDANT AND COUNTERCLAIMANT MAY ALLEN'S NOTICE OF  
DEPOSITION OF PLAINTIFF MITHC GRASSO AND REQUEST FOR PRODUCTION  
OF DOCUMENTS**

By the method indicated below, and addressed to the following party(ies):

William J. Frimel, Esq.  
SEUBERT FRENCH FRIMEL & WARNER LLP  
1075 Curtis Street  
Menlo Park, CA 94025  
Tel: 650.322.3048  
Fax: 650.833.2976

Placing the same in the United States Mail, postage prepaid

Sent by fax

## X Hand-delivered

Sent by overnight mail, fees paid (e.g., FedEx or UPS)

I declare under penalty of perjury that the foregoing is true and correct. Executed on the  
24 August 2017.

  
Cristina D. Herrera